

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

WILLIAM C. SIPPEL  
(312) 252-1505  
wsippel@fletcher-sippel.com

225435

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

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## VIA ELECTRONIC FILING

Ms. Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: **Finance Docket No. 35110**  
**Florida Department of Transportation -- Acquisition**  
**Exemption -- Certain Assets of CSX Transportation, Inc.**

Dear Secretary Quinlan:

By decision served June 19, 2009 in the above-captioned proceeding, the Board granted the request of the Florida Department of Transportation ("FDOT") to hold this proceeding in abeyance until August 7, 2009 to give FDOT time to review the implications on the proposed transaction given that the Florida legislation contemplated for the proposed transaction was not passed.

FDOT respectfully requests that the Board continue to hold this proceeding in abeyance until December 31, 2009. Since FDOT's last request, CSXT has agreed to extend the date after which its contracts with FDOT may be terminated from June 30, 2009 to December 31, 2009. FDOT continues to evaluate its options with respect to the proposed project, which continues to receive strong local support. Further abeyance of this proceeding should not prejudice any party, and would make it unnecessary to resubmit at a later date the extensive pleadings already filed in this matter.

FDOT will advise the Board of its intentions by December 31, 2009.

Respectfully submitted,



William C. Sippel  
Attorney for Florida Department of Transportation

WCS/tjl

cc: Richard S. Edelman, Esq.